

Appl. No. 10/811,160
Atty. Docket No. 9596
Amdt. dated January 3, 2007
Reply to Office Action dated October 2, 2006
Customer No. 27752

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REMARKS

No amendments to the pending claims are presented by way of the instant response. Claims 1, 3-7, 9, 11-14, 16, and 18-19 remain pending in the instant Application and are presented for the Examiner's review in light of the following comments.

Rejection Under 35 U.S.C. §103

Claims 1, 3-7, 9, 11-14, 16, and 18-19 remain rejected under 35 U.S.C. §103(a) over *McCay, et al.*, U.S. Patent No. 4,506,575 in view of *Watanabe, et al.*, U.S. Patent No. 4,821,971. Previous arguments made with regard to the *McCay* and *Watanabe* references remain in effect but will not be repeated for the sake of brevity. The Examiner is respectfully urged to consider the following additional matters that distinguish Applicants' claimed invention over the cited prior art.

1. Applicants' Claims 1, 9, and 16 claim an apparatus for slabbing a roll of material comprising, *inter alia*, a transport element **integral** with the apparatus that is capable of engaging or engages the roll and conveys the roll to a slabbing position.

2. In the Examiner's Advisory Action mailed December 14, 2006, the Examiner asserts that the term "integral" should be given the breadth of "not easily removed nor intended to be removed from the apparatus." Applicants respectfully object to the Examiner's interpretation of this term. Whether or not the transport element is easily removed or intended to be removed from the apparatus is irrelevant to the claims of the instant invention.

3. Rather, Applicants refer to the term "integral" in its usual form "of, relating to, or serving to form a whole: organically joined or linked." See *Webster's Third New International Dictionary* 2002, p. 1173 (copy enclosed).

4. Additionally, Applicants's Specification does not define "integral" as "not easily removed nor intended to be removed from the apparatus." Applicants make no attempt to define the term "integral" inconsistent with that term as understood by one of skill in the art.

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5. The Examiner has asserted that Applicants need to focus more on the structural differences between the claimed transport element and those of *Watanabe*. Applicants have focused on the structural differences in the response to the final Office Action dated October 2, 2006. In short, Applicants stated that the “*Watanabe* reference, while disclosing the presence of a ‘truck 6, conveyor, or the like, and which supports and rotates the paper roll on its axis . . .’ does not disclose or suggest that the truck 6, conveyor, or the like is **integral** with the disclosed apparatus.” (Emphasis in original) Indeed, the *Watanabe* reference does not provide any indication on the connection between the disclosed truck 6, conveyor, or the like as associated with the disclosed device. The Specification of the *Watanabe* reference merely states that the “rotary support 1, which receives a paper roll 4 transported by a truck 6, conveyor, or the like . . .” It is difficult for Applicants to understand how the Examiner is able to take a generally described component (the truck 6, conveyor, or the like, of the *Watanabe* reference) and claim that it is indeed integral with the device absent any disclosure or suggestion by the cited reference to do so.

As stated previously, the cited prior references must teach, disclose, or suggest each and every element of Applicants’ claimed invention. Applicants indeed claim what they are entitled to under the law -- in short, an apparatus for slabbing a roll of material comprising a transport element integral with the apparatus. This is not disclosed or suggested by any of the references cited by the Examiner. Therefore, Applicants respectfully submit that the *McCay* and *Watanabe* references fail to even provide a legally minimalist modicum of disclosure, teaching, or suggestion that renders obvious, either singly or in combination, every recited feature of Applicants’ claimed invention. Therefore, Applicants respectfully request reconsideration and withdrawal of the Examiner’s 35 U.S.C. §103(a) rejection over the *McCay* and *Watanabe* references to Claims 1, 9, and 16 and all claims dependent directly or indirectly thereon.

Conclusion

Based on the foregoing, it is respectfully submitted that each of Applicants’ remaining claims is in condition for allowance and favorable reconsideration is requested.

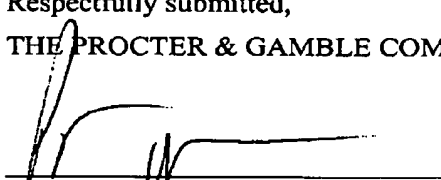
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This response is timely filed pursuant to the provisions of 37 C.F.R. §1.8 and M.P.E.P. §512, and no fee is believed due (January 2, 2007 being a declared Federal holiday). However, if any additional charges are due, the Examiner is hereby authorized to deduct such charge from Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

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